

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

TRANSCONNECTOR FOR COUPLING SPINAL RODS

and for which a patent application:

☒ was filed in the United States on December 17, 1999 as Application No. 09/466,725

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION | | | |
|--|---------|--------------------------------------|--|
| APPLICATION NUMBER | COUNTRY | DATE OF FILING (day, month, year) | PRIORITY CLAIMED |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

| APPLICATION NUMBER | FILING DATE |
|--------------------|-------------|
| | |
| | |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION SERIAL NO. | FILING DATE | STATUS | | |
|------------------------|-------------|----------|---------|-----------|
| | | PATENTED | PENDING | ABANDONED |
| | | | | |
| | | | | |

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), William S. Galliani (Reg. No. 33885), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35504), and Kelly D. Talcott (Reg. No. 39582), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO:
PENNIE & EDMONDS LLP
1667 K Street, N.W.
Washington, D.C. 20006

DIRECT TELEPHONE CALLS TO:
PENNIE & EDMONDS LLP DOCKETING
(202) 496-4721

| | | | | |
|-------------|-------------------------|--|--------------------------------|--|
| 2 0 1 | FULL NAME OF INVENTOR | LAST NAME TROXELL | FIRST NAME Thomas | MIDDLE NAME N. |
| | RESIDENCE & CITIZENSHIP | CITY Pottstown | STATE OR FOREIGN COUNTRY PA | COUNTRY OF CITIZENSHIP USA |
| | POST OFFICE ADDRESS | STREET 314 Bishop Road | CITY Pottstown | STATE OR COUNTRY PA ZIP CODE 19465 |
| 2 0 2 | FULL NAME OF INVENTOR | LAST NAME KUMAR | FIRST NAME G. | MIDDLE NAME Kris |
| | RESIDENCE & CITIZENSHIP | CITY West Chester | STATE OR FOREIGN COUNTRY PA | COUNTRY OF CITIZENSHIP India |
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| 2 0 3 | FULL NAME OF INVENTOR | LAST NAME DAVIS | FIRST NAME Barclay | MIDDLE NAME R. |
| | RESIDENCE & CITIZENSHIP | CITY Downingtown | STATE OR FOREIGN COUNTRY PA | COUNTRY OF CITIZENSHIP USA |
| | POST OFFICE ADDRESS | STREET 203 Wren Court | CITY Downingtown | STATE OR COUNTRY PA ZIP CODE 19335 |
| 2 0 4 | FULL NAME OF INVENTOR | LAST NAME RUNCO | FIRST NAME Thomas | MIDDLE NAME J. |
| | RESIDENCE & CITIZENSHIP | CITY Wayne DEVON | STATE OR FOREIGN COUNTRY PA | COUNTRY OF CITIZENSHIP USA |
| | POST OFFICE ADDRESS | STREET 1040 Radnor Road 30 N. WATERLOO ROAD # 40 A | CITY Wayne DEVON | STATE OR COUNTRY PA ZIP CODE 19087 19333 |
| 2 0 5 | FULL NAME OF INVENTOR | LAST NAME | FIRST NAME | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | POST OFFICE ADDRESS | STREET | CITY | STATE OR COUNTRY ZIP CODE |
| 2 0 6 | FULL NAME OF INVENTOR | LAST NAME | FIRST NAME | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | POST OFFICE ADDRESS | STREET | CITY | STATE OR COUNTRY ZIP CODE |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|--|---|---|
| SIGNATURE OF INVENTOR Thomas TROXELL X <i>Thomas T. Troxell</i> | SIGNATURE OF INVENTOR G. Kris KUMAR X <i>G. Kris Kumar</i> | SIGNATURE OF INVENTOR Barclay R. DAVIS X <i>Barclay R. Davis</i> |
| DATE X <i>March 6, 2000</i> | DATE X <i>06-MAR-00</i> | DATE X <i>6-MAR-00</i> |
| SIGNATURE OF INVENTOR Thomas J. RUNCO X <i>Thomas J. Runco</i> | | |
| DATE X <i>06 MARCH 2000</i> | | |



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
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MAY 15, 2000

PTAS

PENNIE & EDMONDS LLP
ALLAN A. FANUCCI
1667 K STREET, N.W.
WASHINGTON, DC 20006



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8932-189

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/09/2000

REEL/FRAME: 010621/0397
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
TROXELL, THOMAS N.

DOC DATE: 03/06/2000

ASSIGNOR:
KUMAR, G. KRIS

DOC DATE: 03/06/2000

ASSIGNOR:
DAVIS, BARCLAY R.

DOC DATE: 03/06/2000

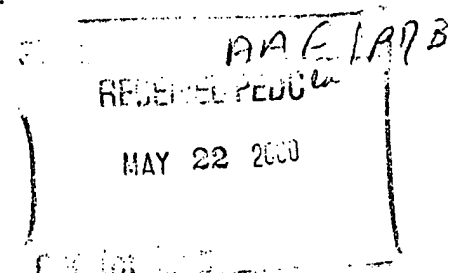
ASSIGNOR:
RUNCO, THOMAS J.

DOC DATE: 03/06/2000

ASSIGNEE:
SYNTHES (USA)
1690 RUSSELL ROAD
PAOLI, PENNSYLVANIA 19301

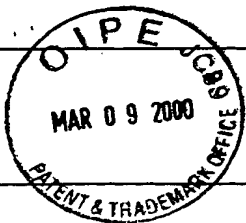
SERIAL NUMBER: 09466725
PATENT NUMBER:

FILING DATE: 12/17/1999
ISSUE DATE:



010621/0397 PAGE 2

LENELL MACKALL, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



03-23-2000



101295041

Attorney Docket Number
8932-189Box Assignment
TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 20231

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Thomas N. TROXELL; G. Kris KUMAR;
Barclay R. DAVIS; and Thomas J. RUNCOAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other _____Execution Date: March 6, 2000

2. Name and address of receiving party(ies):

Name: Synthes (USA)Address: 1690 Russell Road, Paoli, PA 19301

Country (if other than USA): _____

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s) 09/466,725

B. Patent No.(s) _____

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

PENNIE & EDMONDS LLP
1667 K Street, N.W.
Washington, D.C. 200066. Number of applications and patents involved: 17. Total fee (37 CFR 3.41):.....\$ 40.00
Please charge to the deposit account listed in Section 8.8. Deposit account number:
16-1150

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

PAUL D. BIANCO

43,500

Allan A. Fanucci

30,256

Signature

March 9, 2000

Date

Total number of pages including cover sheet:

4

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignment
Washington, D.C. 20231

4/04/2000 TTOM11 00000102 161150 09466725

1 FC:581 40.00 CH

JOINT

ASSIGNMENT

WHEREAS, WE, Thomas N. TROXELL; G. Kris KUMAR; Barclay R. DAVIS; and Thomas J. RUNCO, ASSIGNORS, citizens of USA; India; USA; and USA, respectively, residing at 314 Bishop Road, Pottstown, PA 19465; 200 Piedmont Road, West Chester, PA 19382; 203 Wren Court, Downingtown, PA 19335; and ~~1040 Radnor Road, Wayne, PA 19087~~, respectively, are the inventors of the invention in ~~33 N. WATERLOO RD., # 40A, DEVON, PA 19333~~ TRANSCONNECTOR FOR COUPLING SPINAL RODS, for which an application for a Patent of the United States is to be filed

- ☒ which is executed concurrently herewith
- ☒ which is identified by Pennie & Edmonds LLP docket no. 8932-112 (89
- ☒ was filed on December 17, 1999, Application No. 09/466,725

AND WHEREAS, SYNTHES AG CHUR, ASSIGNEE, having a registered office and place of business at Grabenstrasse 15, CH-7002 Chur, Switzerland, is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application in all geographic locations except the United States and its possessions and territories, Canada and its possessions and territories, the Bahamas, and Bermuda, (hereinafter "the excluded geographic locations")

AND WHEREAS, SYNTHES (USA), ASSIGNEE, a General Partnership existing under the laws of the Commonwealth of Pennsylvania and having a place of business at 1690 Russell Road, Paoli, PA 19301, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application in the excluded geographic locations:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over:

(1) unto the said SYNTHES (USA), its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention in the excluded geographic locations, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection in the excluded geographic locations, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country in the excluded geographic locations, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection in the excluded geographic locations, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country in the excluded geographic locations and all extensions, renewals and reissues thereof, and

(2) unto the said SYNTHES AG CHUR, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention in all geographic locations except the excluded geographic locations; and all applications for industrial property protection in all geographic locations except the excluded geographic locations, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States in all geographic locations except the excluded geographic locations, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the

International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection in all geographic locations except the excluded geographic locations, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the respective ASSIGNEES, their successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEES, their successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEES, their successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

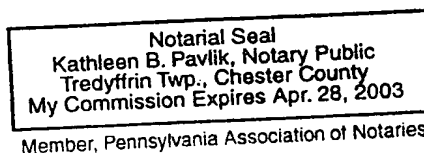
Date March 6, 2000, 2000 Thomas N. Troxell L.S.
Thomas N. TROXELL

State of Penn.)
County of Chester) SS.:

In the State of Penn., county of Chester, on 3/6/00, before me, Kathleen B. Pavlik, Notary Public, personally appeared Thomas N. TROXELL, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Kathleen B. Pavlik

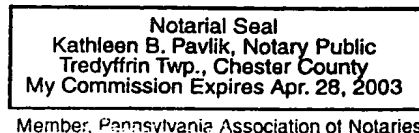


Date 2006 - MARCH 2000, 2000 G. Kris Kumar L.S.
G. Kris KUMAR

State of Penn.)
County of Chester) SS.:

In the State of Penn., county of Chester, on 3/6/00, before me, Kathleen B. Pavlik, Notary Public, personally appeared G. Kris KUMAR, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the

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within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Kathleen B. Pavlik

Date 6 MAR 00, 2000

Barclay R. DAVIS

L.S.

State of Penna

County of Chester

SS.:

Notarial Seal
Kathleen B. Pavlik, Notary Public
Tredyffrin Twp., Chester County
My Commission Expires Apr. 28, 2003

Member, Pennsylvania Association of Notaries

In the State of Penna, county of Chester, on 3/6/00,
before me, Kathleen B. Pavlik Notary Public, personally appeared Barclay R. DAVIS,
personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the
within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Kathleen B. Pavlik

Date 06 MARCH, 2000

Thomas J. Runco

L.S.

State of Penna

County of Chester

SS.:

In the State of Penna, county of Chester, on 3/6/00,
before me, Kathleen B. Pavlik Notary Public, personally appeared Thomas J. RUNCO,
personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the
within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Kathleen B. Pavlik

Notarial Seal
Kathleen B. Pavlik, Notary Public
Tredyffrin Twp., Chester County
My Commission Expires Apr. 28, 2003

Member, Pennsylvania Association of Notaries